

**FINAL DEVELOPMENT
PLAN AMENDMENT CONDITIONS**

FDPA 2002-HM-043-03

May 4, 2016

If it is the intent of the Planning Commission to approve FDPA 2002-HM-043-03 to allow 39 single family attached townhouses and 108 multi-family units (two-over-two stacked units) in Land Bays B1, C1 and D1 on Tax Maps 16-3 ((01)) 39A2 pt., and 39B3 pt., staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions, which supersede all previous conditions (those conditions carried forward from previous approval that apply to the subject property and modified are marked with an asterisk*):

1. Development of the property shall be in substantial conformance with the Final Development Plan Amendment entitled "Arrowbrook Centre – Final Development Plan Amendment (FDPA 2002-HM-043-03)", consisting of 47 sheets dated November 18, 2015 as revised through April 22, 2016.
2. Development of the property shall be in-conformance with the development conditions associated with Resource Protection Area Encroachment #1504-W RPA-001-1 in Attachment A.*

The above proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by the Planning Commission.

PROPOSED DEVELOPMENT CONDITIONS

RESOURCE PROTECTION AREA ENCROACHMENT # 1504-WRPA-001-1

November 30, 2005

If it is the intent of the Board of Supervisors to approve 1504-WRPA-001-1 for Arrowbrook Centre Development located at Tax Map # 016-3-01-01-0004, 0004-B & C, 0005, 0005-A and 0039 of the Chesapeake Bay Preservation Ordinance (CBPO), staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This RPA exception is granted for and runs with the land indicated in this application and is not transferable to other lands.
2. This RPA exception is granted only for the purposes and uses indicated on Finalized Development Plan RZ/FDP # 2002-HM-043 and Special Exception SE 2002-HM-046 and is not transferable to other Land.
3. The applicant shall construct the enhanced wetland/stormwater detention and water quality pond. The pond shall be designed to provide detention and Best Management Practices (BMP) for the entire upstream drainage area. It shall include features to enhance the environmental qualities such as sediment forebay, a butterfly garden, outlet micropool and vegetated cover of riprap spillway and outfall as depicted on Sheet 4 of the RZ/FDP # 2002-HM-043.
4. The applicant shall design the proposed pond to meet all dam standards of the Public Facilities Manual (PFM) including the geotechnical requirement, unless a modification is approved by the Director of the Department of Public Works and Environmental Services (DPWES). The applicant shall armor the outside slope of the dam with vegetative Geoweb (or approved equivalent by DPWES) Cellular Confinement System filled with top soil and vegetated with grass. The vegetative armoring shall be placed along the entire outside face of the dam embankment that faces the existing creek from the toe of the dam embankment to approximately one foot above the proposed 100-year floodplain elevation.
5. The clearing and grading necessary to construct the pond and related features shall be minimized. The disturbed areas within the RPA and outside the pond embankment areas shall be restored in accordance with the approved wetland permit for this project. No trees shall be proposed within the proposed restrictive planting easement.

6. In addition to the proposed pond, the applicant shall provide a supplemental BMP facility such as an underground sand filter to treat the 9.5 acres of on-site runoff that does not drain to the proposed pond.
7. The proposed facilities shall be privately maintained and a maintenance agreement with the County shall be executed prior to the final approval of the construction plans.
8. In order that the proposed activities do not incur a degradation of water quality, adequate erosion and sediment control measures, shall be employed during construction along the limits of any clearing and grading within the RPA, and shall remain in place, and be properly maintained, for the duration of the land disturbing activities until such time that the disturbed areas are completely stabilized as determined by the Environmental and Facilities Inspection Division.
9. This approval shall be valid as long as the RZ 2002-HM-043 remain valid. Additional amendment to the approved plat may be approved as long as the amendment does not aggravate conflicts with the provision of the Chesapeake Bay Preservation Ordinance.